

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS – AUSTIN DIVISION

PILERO LLC, PILEPRO SALES CORPORATION,
BLUE EMERALD, INC., f/k/a PILEPRO INC.,
PILEPRO STEEL, L.P., and ROBERTO R. WENDT,

Plaintiffs,

vs.

HUMPHREY CHANG, RICHARD HEINDL,
MATTHIAS WEIGEL, and STEELWALL, GMBH,

Defendants.

RICHARD HEINDL and STEELCOM LTD.,

Counterclaimants,

vs.

ROBERTO R. WENDT, IAN MORGAN, ROBERT
P. YOUNGMAN, ROBERT P. YOUNGMAN, as
Trustee of the WILLIAM S. YOUNGMAN TRUST 1,
for the benefit of ELSIE Y. HULL, ROBERT P.
YOUNGMAN as Trustee of the WILLIAM S.
YOUNGMAN TRUST 2, for the benefit of WILLIAM
S. YOUNGMAN III, MIKE FEIFAREK, MATT
FEIFAREK, MARTIN DOUDOROFF, STACIE
BRYAN and ROES 1 through 10, inclusive,

Counterdefendants.

Case No. 12:cv-00829-SS

**NOTICE OF APPEAL TO THE UNITED
STATES COURT OF APPEALS FOR THE
FIFTH CIRCUIT**

NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Defendant and Counterclaimant RICHARD HEINDL and Counterclaimant STEELCOM LTD. appeal to the United States Court of Appeals for the Fifth Circuit from the Judgment (Dkt. #191) of the District Court for the District of the Western District of Texas – Austin Division, entered in this case on January 21, 2016 (“Judgment”).

The Judgment was entered concurrently with the Court’s filing of its findings of fact and conclusions of law (Dkt. #190) following a bench trial on October 20, 21, 22 and 26, 2015.

The parties to the Judgment appealed from and the names and addresses of their respective attorneys are as follows:

Plaintiffs:

PILERO LLC, PILEPRO SALES CORPORATION, BLUE EMERALD, INC., f/k/a PILEPRO INC., PILEPRO STEEL, L.P., and ROBERTO R. WENDT.

Represented by:

THE BROWN FIRM, PLLC
Andrew S. Brown
Ashley Applewhite
P.O. Box 6061
Austin, Texas 78702

GEORGE, BROTHERS, KINCAID & HORTON, L.L.P.
R. James George, Jr.
1100 Norwood Tower
114 W. 7th Street
Austin, Texas 78701

Defendants:

HUMPHREY CHANG, RICHARD HEINDL, MATTHIAS WEIGEL, and STEELWALL, GMBH.

Represented by:

CALLARI & SUMMERS
Andrew C. Callari (CA State Bar No. 159003, admitted *pro hac vice*)
34197 Pacific Coast Hwy., Suite 100
Dana Point, California 92629

LAW OFFICE OF DOUGLASS D. HEARNE, JR.

Douglass D. Hearne, Jr.

901 S. Mopac

Building V, Suite 200

Barton Oaks Plaza

Austin, Texas 78746

THE LAW OFFICE OF GEORGE MOSCHOPOULOS

George Moschopoulos (CA State Bar No. 249905, admitted *pro hac vice*)

34197 Pacific Coast Hwy., Suite 100

Dana Point, California 92629

Counterclaimants:

RICHARD HEINDL and STEELCOM, LTD.

Represented by:

CALLARI & SUMMERS

Andrew C. Callari (CA State Bar No. 159003, admitted *pro hac vice*)

34197 Pacific Coast Hwy., Suite 100

Dana Point, California 92629

LAW OFFICE OF DOUGLASS D. HEARNE, JR.

Douglass D. Hearne, Jr.

901 S. Mopac

Building V, Suite 200

Barton Oaks Plaza

Austin, Texas 78746

THE LAW OFFICE OF GEORGE MOSCHOPOULOS

George Moschopoulos (CA State Bar No. 249905, admitted *pro hac vice*)

34197 Pacific Coast Hwy., Suite 100

Dana Point, California 92629

Counterdefendants and Third-Party Defendants:

ROBERTO R. WENDT, IAN MORGAN, ROBERT P. YOUNGMAN, ROBERT P.

YOUNGMAN, as Trustee of the WILLIAM S. YOUNGMAN TRUST 1, for the benefit of ELSIE Y.

HULL, ROBERT P. YOUNGMAN as Trustee of the WILLIAM S. YOUNGMAN TRUST 2, for the

benefit of WILLIAM S. YOUNGMAN III, MIKE FEIFAREK, MATT FEIFAREK, and MARTIN

DOUDOROFF. [Note: STACIE BRYAN was dismissed prior to trial.]

Represented by:

THE BROWN FIRM, PLLC

Andrew S. Brown

Ashley Applewhite

P.O. Box 6061

Austin, Texas 78702

GEORGE, BROTHERS, KINCAID & HORTON, L.L.P.

R. James George, Jr.

1100 Norwood Tower

114 W. 7th Street

Austin, Texas 78701

DATE: February 19, 2016

By: /s/ Andrew C. Callari

Andrew C. Callari

CA State Bar No. 159003

Lead Counsel for Defendants and Counterclaimants

DATE: February 19, 2016

By: /s/ Andrew C. Callari

Andrew C. Callari, CA State Bar No. 159003

CALLARI & SUMMERS

34197 Pacific Coast Hwy., Suite 100

Dana Point, California 92629

Telephone: (714) 371-4110

Facsimile: (714) 882-7915

ac@callarisummers.com

Lead Counsel for Defendants and Counterclaimants

Douglass D. Hearne, Jr.

Associate Counsel / Local Counsel

LAW OFFICE OF DOUGLASS D. HEARNE, JR.

901 S. Mopac

Building V, Suite 200

Barton Oaks Plaza

Austin, Texas 78746

(512) 494-8811

(512) 494-8819 - fax

dhearne@hearnelaw.com

George Moschopoulos, CA State Bar No. 249905

Associate Counsel

THE LAW OFFICE OF GEORGE MOSCHOPOULOS

34197 Pacific Coast Hwy., Suite 100

Dana Point, California 92629

Telephone: (714) 904-1669

Facsimile: (714) 272-0428

georgem@logmapc.com

Co-Counsel for Defendants and Counterclaimants

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing document has been served on February 19, 2016, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system, per Local Rule CV-5.

In this action, Case No. 1:12-cv-00829-SS, notice will be electronically mailed to:

Andrew S. Brown abrown@andybrownlaw.com; firm@andybrownlaw.com;
nkros@andybrownlaw.com

Rebecca Ashley Applewhite ashleyapple@gmail.com

R. James George , Jr rjgeorge@gbkh.com, fjordan@gbkh.com, receptionist@gbkh.com

Executed this 19th day of February 2016.

By: /s/ Andrew C. Callari

Andrew C. Callari
CA State Bar No. 159003
Lead Counsel for Defendants and Counterclaimants